

**Notice of Allowability**

Application No.

09/810,766

Examiner

Kwang B. Yao

Applicant(s)

VUKOVIC ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment field 8/4/05.
2. ☒ The allowed claim(s) is/are 9-12,21-23, renumbered 1-7, respectively.
3. ☒ The drawings filed on 13 December 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

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### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven May on 8/10/05.

The application has been amended as follows:

Claim 21, line 12, delete "a\their", insert --their--.

### **REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance: The present invention is directed to a communication system. Each independent claim identifies the uniquely distinct features: regarding claim 1 (originally filed claim 9), receiving a first packet from a first communication unit and a second packet from a second communication unit to respectively produce a first received packet and a second received packet, wherein each of the first received packet and the second received packet comprises a packet identifier; sorting the first and second received packets according to their respective packet identifiers; forwarding the sorted first and second received packets to an upstream component of a communication system; receiving a third packet from the first communication unit and a fourth packet from a third communication unit to respectively produce a third received packet and a fourth received packet, wherein each of the third received packet and the fourth received packets comprises a packet identifier; sorting the third and fourth received packets according to their respective packet identifiers; forwarding the sorted third and fourth received packets to the upstream component; comparing, by the upstream component, the first received packet to the third received packet; and forwarding, by the upstream component, the first received packet or the third received packet based on the comparison; regarding claim 5, (originally filed claim 21), a first transceiver that receives a first packet from a first communication unit to produce a first received packet that comprises a packet identifier, receives a second packet from a second communication unit to produce a second received packet that comprises a packet identifier, sorts the first and second received packets according to their respective packet identifiers, and forwards the sorted first and second received packets to a packet selector; a second transceiver that receives a third packet from the first

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communication unit to produce a third received packet that comprises a packet identifier, receives a fourth packet from a third communication unit to produce a fourth received packet that comprises a packet identifier, sorts the third and fourth received packets according to their respective packet identifiers, and forwards the sorted third and fourth received packets to the packet selector; and a packet selector that receives the sorted first and second received packets from the first transceiver and the sorted third and fourth received packets from the second transceiver, compares the first received packet to the third received packet, and, based on the comparison, forwards the first received packet or the third received packet. The closest prior art, Baldwin et al. (US 5,606,552) and Beser (US 6,331,987) disclose conventional communication systems, either singularly or in combination, fail to anticipate or render the above features obvious.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

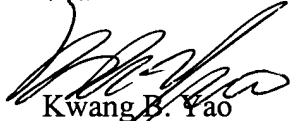
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwang B. Yao whose telephone number is 571-272-3182. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KWANG BIN YAO  
PRIMARY EXAMINER



Kwang B. Yao  
August 10, 2005